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MICHIGAN HOUSE OF REPRESENTATIVES

JOHN REILLY
STATE REPRESENTATIVE

COMMITTEES:
FINANCIAL LIABILITY REFORM,
VICE CHAIR
JOINT COMMITTEE ON
ADMINISTRATIVE RULES, VICE CHAIR
EDUCATION REFORM
ENERGY POLICY
REGULATORY REFORM

November 30, 2017

Dear Chairman Graves and Members of the Oversight Committee,

Thank you for providing me this opportunity to testify in support of my legislation, House Bill 5163, which with House Bill 5162 would prohibit the Department of Health and Human Services from promulgating future rules to mandate the taking of vaccines unless directed to do so by a Public Act. HB 5162 would modify the Health Code to make this change, and HB 5163 would modify the school code to conform to the revised statute.

To be clear, existing mandates would remain in place under this bill. It would simply affect the process for future mandates.

This legislation touches on a very important and sensitive subject, the individual right to medical freedom. What any of us believe about vaccines is not the issue here. The issue is who gets to decide.

Well into the 20th century, there were laws across the United States that allowed for Americans to be sterilized against their will. It was only after the Holocaust, and the rejection of the hideous ideology expounded by the National Socialists, that popular opinion turned against eugenics, the last forced sterilization being performed as late as 1981.

To this day, there is no individual right to medical freedom recognized in the United States. Most obviously, we see this in the regulation and prohibition of controlled substances.

But to whatever degree we believe the government has the authority to *prohibit* an individual from taking certain actions, there is something much more onerous about requiring an individual take *positive* action. To coerce people to *participate* in a medical procedure or *take* a substance against their will is more demanding than to prohibit them from taking an action.

Whether they are right or wrong, requiring individuals to take a drug that they sincerely believe may harm them—or their children—is an act of government dominance over these individuals.

Truly, we should require the highest evidentiary standard possible to determine that a public health interest is so compelling that the government must require people to take any particular medicine.

The legislative process will invariably hold new mandates to a higher standard than the rule-making process, because it creates no new authority, and only restricts an agency from acting. Instead, under these bills, any new potential mandate would need to be approved by the legislative process, which was designed to be difficult and biased against controversy.

As we all know, getting a bill signed into law is a long process where every stage is a killing ground. It was designed that way with good intention, to ensure every policy would be given due scrutiny.

The rule-making process was developed to allow for certain policy details to be prescribed by executive agencies within a framework of statutory guidelines. The mandated mass usage of a chemical substance is not small detail to be taken lightly. It has enormous public health implications.

When a mandate is issued by public act, the Legislature expresses the collective will of the people through elected representatives. An edict from an un-elected bureaucracy lacks this moral authority to impose itself upon the people.

House Bills 5162 and 5163, by requiring that the Legislature approve any future mandatory vaccinations, asks nothing more than for the Legislature to perform its law-making function, rather than delegate such a critical public policy question to an un-elected body.

Thank you for your consideration of this important issue.

Sincerely,

A handwritten signature in cursive script that reads "John Reilly". The signature is written in dark ink and is positioned below the word "Sincerely,".

Representative John Reilly